

MINUTES
CEDAR VALLEY DISTRIBUTION SYSTEM
February 19, 2002

Present: Lee Sim, John Larsen, Kerry Carpenter, Clemont Adams, Joe Melling, Sam Bauer, Deb Bauer, Lynn Nelson, Ramon Prestwich, Carole Photiadis, Stan Photiadis, Ross LeBaron, Brent Jones, and LaRee Garfield.

Chairman Brent Jones called this meeting to order at 7:05 p.m. He then asked Secretary LaRee Garfield to read the Minutes of last year's meeting. Following the reading of the Minutes, Chairman Jones then called for a discussion of the Minutes. Kerry said that the person referred to as "Kent" Vest should be Kurt Vest. Lee also mentioned that in the fourth paragraph on page 2, the equipment referred to as a data "port" should read a data "logger." With those corrections, Joe moved for approval of the Minutes as corrected; Sam seconded; Minutes approved as corrected.

Brent then asked Lee Sim to present the Financial Statement for 2001. Mr. Sim reported that we started the year with \$9,525.98. We collected \$5,359.64 in regular assessments, \$129.16 in delinquent penalties, and earned interest in the amount of \$312.84, with total receipts of \$5801.64. Expenditures amounted to \$8,035.58, leaving a balance of Distribution Trust Funds in the amount of \$7,292.04 which is about \$2,200.00 less than the previous year. Referring to the 2001 Budget Expenditures, Mr. Sim said that the Commissioner does not get retirement benefits, and it was erroneously deducted from the Commissioner's salary. The error was found, and it has been added back into the account, so the total balance would be \$7,864.72. With regard to the delinquencies, Mr. Sim reported that they have started a new process for the collection of delinquent accounts. In the past, they have waited until the delinquent account reached about \$400.00 to start collection proceedings. However, they found that there is a statute of limitations, and so after two years, regardless of the amount, the collection process is started. Accounts #23 and 64B have both been issued a cease and desist order. Clemont said that his son, Neil's name is on this account, and Clemont has since sold that farm but still has money in reserve to cover such items as this, so he asked that Lee send him a bill for the \$219.71, and he will pay it. Brent will talk to Ramon and see if account #23 can be taken care of. Jeanette Ashworth is the new secretary of Coal Creek, which is #8, and he will talk to her and have her take care of that. Joe then moved for approval of the Financial Report; Clemont seconded; motion carried. Kerry asked about the account listed "No Name." This account used to be in the name of Richard Edmunds. Brent will check on this.

Brent then asked Commissioner Sam Bauer to present the Commissioner's Report for 2001. Sam reported that in 2001, the stream flow for Coal Creek was 23,850 acre feet, which was a little more than in 2000, 17,261 acre feet. The stream flow peaked May 1, at 340 second feet, and from that date it dropped fast and stayed down all summer. After a dry summer, the water table in the valley was down. This winter has also been dry, and as of February 1, 2002, the snow pack on the mountain was at 45% of normal. Broken meters is an ongoing problem, and there is also great confusion about account numbers, well owners and well operators. Sam said that he received a map of well locations from the State which helped, but it needs to be updated. The

USGS estimates that 35,000 acre feet was withdrawn from Cedar Valley, which is about 4,000 more than the year before. The Commissioner has in his possession, the following equipment: 1 four drawer file cabinet, 1 H.P. model 25 calculator, S/N 1502A02235 (broken); 1 H.P. Vectra N2 466 computer S/N3432A12538; 1 H.P. Video graphic color display S/N 91 12J10847; and 1 H.P. laserjet II computer printer.

Brent then called for any questions or comments regarding the Commissioner's Report. Clemont asked if the water usage was broken down according to companies or individuals, and Sam said that the reports contained in his report were broken down by companies. The figures are listed in cfs, rather than acre feet. Clemont and Lynn asked if the Commissioner was supposed to read meters on those wells which have meters that are operable. Lee said that where we have changed Commissioners twice in the last two years, they have not been able to keep on top of this type of information. Clemont offered to help Sam and show him where the wells are, but he would need to be covered so far as travel expense is concerned. He still has records of where the wells are, and he could help Sam identify these. Clemont said the record of the water is very important, and it seems we are losing this. He said he is having his reports typed up now, and they should be published and available within the next six months. Lynn moved that Sam and Clemont get together and get those reports for next year and that money be put in the budget for this purpose; Stan Photiadis seconded; motion carried. Clemont then said that he is concerned about keeping the meters repaired. The job has got to be made so the Commissioner can do the job, and he will be happy to help with this. Brent commented that we do need to get some of this work done. Sam asked how often the meters should be read, and Clemont said he read them every month. Lee suggested that in Milford, many have moved the meters into locked boxes to where they could not be accessed. Kerry said that metering is getting more difficult, and they are finding that it is easier to read acres, rather than meters. Knowing where the wells are and if they are being pumped and by whom is very important, and if we can get that accomplished this year, that will be very important. Lee suggested that we may want to put \$1,200.00 back into the budget for Contractual Services. Clemont suggested that we leave travel expenses as they are and add \$500.00 as contractual services. After discussion, Ramon moved that \$500.00 be added to the travel expenses; Lynn seconded; motion carried. Insurance premiums will be budgeted at \$90.00; Secretarial expense, \$150.00; Annual Report, \$500.00; Miscellaneous Expense, \$300.00. Lee said that they have some surplus computers out of their office that could be made available for the Commissioner. He also said that another line item will need to be added to the budget. Last year the budget cuts caused them to look for options to make up the funding lost. Assessments should pay for the Commissioner and related expenses. He suggested that the assessment be increased by 2 1/2% this year and increase it accordingly each year. If, at the end of June, they are not going to be in the red, they will not take the 2 1/2 %, but, otherwise, they will. The new line item will be State Engineer Expenses, and for our system it will be approximately \$205.00 this year. With the economy the way it is, they have no choice, and, hopefully it will change and improve, but for the time being, this is how it has to be. Therefore, the total budget for 2002 will be \$8,957.00, with raising the Travel Expense, Insurance and the State Engineer Expenses. Clemont moved for acceptance of the budget; Carole Photiadis seconded; motion carried. Lynn moved that the assessment be the same as the budget, \$8,957.00; Joe seconded; motion carried.

Brent then said that we needed to elect three new directors and a Chairman. Clemont moved that we keep the same directors and Chairman; Lynn seconded; motion carried. The directors are Bud

Garfield, Paul Nelson, and Ramon Prestwich, with Brent Jones as the Chairman.

Kerry said that when Sam and Clemont go out to locate the wells, if possible, someone from his office with their GPS unit will go with them.

Lee reported that we have a new State Engineer, because Robert Morgan has been appointed the head of the Department of Natural Resources. Jerry Olds from Hurricane is the new State Engineer. He would like to start a discussion, state wide, of priority date of water rights, and he will give a presentation in St. George, March 12-13, at the Water Users Workshop sponsored by USU.

HB51 and partial forfeiture are both back this year. The text of the bills can be found at utahwaterrights.gov. They are both moving through the legislature and have both gone through the House and will go to the Senate when the Legislature convenes after the Olympics.

Joe moved for adjournment; Clemont seconded; motion carried. Meeting adjourned at 8:45 p.m.